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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/858,150	05/14/2001	Erhard Jung	P6313.8US	2521

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EXAMINER

CHAN, SING P

ART UNIT	PAPER NUMBER
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1734

DATE MAILED: 08/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/858,150

Applicant(s)

JUNG, ERHARD

Examiner

Sing P Chan

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 61-114 is/are pending in the application.
- 4a) Of the above claim(s) 65-69, 103-106 and 109-114 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 81-99 is/are allowed.
- 6) ☒ Claim(s) 61-64, 70-80, 100-102, 107 and 108 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. The indicated allowability of claim 74 is withdrawn in view of the newly discovered reference(s) to Cranston, Jr. et al. Rejections based on the newly cited reference(s) follow.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 61-64, 70-73, 100-102, 107, and 108 are rejected under 35 U.S.C. 102(b) as being anticipated by Cranston, Jr. et al (U.S. 2,830,631).

Regarding claim 61, Cranston, Jr. et al discloses a continuous laminating machine for bonding wood veneer. The machine includes upper and lower platens press, pneumatic diaphragm units as drive units, and platen plates, i.e. pressing members, on the platen press, which the pneumatic diaphragm units can load independently of one another against the board or laminate with a pressure force. (Col 3, line 51 to Col 4, line 54)

Regarding claim 62, Cranston, Jr. et al discloses the pressing members extend parallel to the wood and transversely to the feed direction of the laminate. (Figure 6)

Regarding claim 63, Cranston, Jr. et al discloses pneumatic diaphragm units as driving units, which comprise of a rigid housing, i.e. a cylinder, and a strut, i.e. a piston,

which considered to satisfy the requirement of a piston-cylinder unit. (Col 4, lines 32-45)

Regarding claim 64, Cranston, Jr. et al discloses heating elements in the press, in the pressing member and movable in a transverse direction to the laminate. (Col 4, lines 21-31)

Regarding claim 70, Cranston, Jr. et al discloses the heating elements are electrodes. (Col 4, lines 22-25)

Regarding claim 71, Cranston, Jr. et al discloses the heating elements extend parallel to one other. (Figure 6)

Regarding claim 72, the heating elements as disclosed by Cranston, Jr. et al is considered to extend in the feed direction of the laminate or board. (Figure 6)

Regarding claim 73, the heating elements as disclosed by Cranston, Jr. et al are consider to be connected to the upper platens, which are considered to be common support for the elements. (Figure 6)

Regarding claim 74, Cranston, Jr. et al discloses pressing plates with heating elements fastened to the plates. (Figure 6 and Col 4, lines 14-31)

Regarding claim 80, Cranston, Jr. et al discloses the heating elements are mounted in a heat conducting relation with the support plates, which are considered to be capable of receiving tensile forces in the feed direction. (Col 4, lines 22-25)

Regarding claims 100-102, Cranston, Jr. et al disclose the apparatus includes a lower press platen with platen plates, which is considered to provide support for the laminate board. (Figure 6)

Regarding claims 107 and 108, Cranston, Jr. et al discloses the support plates include heating electrodes mounted on the plates, which form a frame for the clamping and pressing platen. (Figure 6 and Col 4, lines 14-31)

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 75-79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cranston, Jr. et al (U.S. 2,830,631) as applied to claims 73 above, and further in view of Onsrud (U.S. 2,593,691).

Regarding claims 75 and 77, Cranston, Jr. et al as disclosed above is does not disclose a coupling members connected to the piston-cylinder units with a the support with a through openings to receive the coupling members, which are movable to a limited extent relative to the support and heating elements and transversely to the plane of the board. However, providing a coupling member and support with through openings to receive the coupling member is well known and conventional as shown for example by Onsrud. Onsrud discloses attachment brackets with through open are attached to the platen and with a coupling pin to the piston-cylinder unit, which are movable to a limited extent relative to the support and transversely to the plane of the board. (Col 5, lines 51-52 and Figures 2 and 3)

It would have been obvious to one skilled in the art at the time the invention was made to provide brackets with through opens with coupling pin to connect the piston-cylinder units to the press platen as disclosed by Onsrud in the apparatus of Cranston, Jr. et al to provide a secure method of connecting the piston-cylinder unit to the platen.

Regarding claims 76 and 79, Cranston, Jr. et al discloses the piston-cylinder units are positioned at an outlet side of the pressing device with the pressing platen. (Figure 6)

Regarding claim 78, laminating apparatus as disclosed by Cranston, Jr. et al includes pressing member, i.e. plates, which extend across the area of two adjacently positioned heating elements. (Figure 6)

***Allowable Subject Matter***

6. Claims 81-99 are allowed.
7. The following is an examiner's statement of reasons for allowance: The claims recite an apparatus for joining lamellar pieces of wood to a broad.

The apparatus includes clamping and pressing platens with two connecting plates as support for the heating elements and pressing members with noses positioned in the front of the heating element at the inlet of the clamping and pressing device, and a pressing slide to apply pressing force onto the pieces of wood of the broad. Onsrud discloses an apparatus for laminating pieces of wood using RF energy. The apparatus includes clamping and pressing devices with heating elements with electrodes to produce the radio frequency for the heat generation. (Col 2, lines 29-51) The clamping and pressing device also includes air cylinders to move the clamping and pressing

device. (Col 5, lines 29-61) Onsrud does not disclose the clamping and pressing device includes two connecting plates as support for the heating elements and pressing member with noses positioned in the front of the heating element at the inlet of the clamping and pressing device and pressing slide configured to apply a pressing force onto the pieces of wood of the board. Cranston, Jr. et al discloses an apparatus for bonding wood veneers to form plywood. The machine includes upper and lower platens press, pneumatic diaphragm units as drive units, and platen plates, i.e. pressing members, on the platen press, which the pneumatic diaphragm units can load independently of one another against the board or laminate with a pressure force, (Col 3, line 51 to Col 4, line 54) pressing members, i.e. pressing plates extend parallel to the wood and transversely to the feed direction of the laminate, (Figure 6) pneumatic diaphragm units as driving units, which comprise of a rigid housing, i.e. a cylinder, and a strut, i.e. a piston, which is considered to satisfy the requirement of a piston-cylinder unit, (Col 4, lines 32-45) electrode heating elements in the press, in the pressing member and movable in a transverse direction to the laminate and (Col 4, lines 21-31) extend parallel to one other, and (Figure 6) extending in the feed direction of the laminate or board. (Figure 6) Cranston, Jr. et al does not disclose pressing member with noses positioned in the front of the heating element at the inlet of the clamping and pressing device and pressing slide configured to apply a pressing force onto the pieces of wood of the board. A search of the prior art of record did not disclose reference or references in combination with the recited features.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

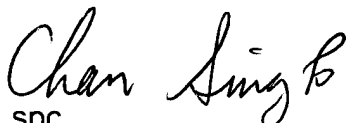
***Response to Arguments***


8. Applicant's arguments with respect to claims 61-64, 70-73, 75-80, 100-102, and 107-108 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sing P Chan whose telephone number is 703-305-3175. The examiner can normally be reached on Monday-Friday 7:30AM-11:15AM and 12:15PM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 703-308-3853. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

  
spc  
August 11, 2003

  
RICHARD CRISPINO  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700